

Department of Social and Health Services (DSHS)

Division of Vocational Rehabilitation (DVR)

Proposed Changes to the Washington Administrative Codes (WACs)

Chapter 388-891- Vocational Rehabilitation Services for

Individuals with Disabilities

This document includes a description of the WAC change, the current wording of the WAC, and the text in **blue** shows that proposed wording that will be added. Text in **brown** is text that was moved from one section to another. For example, from Vocational Rehabilitation Services section to Paying for Vocational Rehabilitation Services section.

Section	Proposed WAC Change Wording
Purpose and Definitions	<p>Amend WAC 388-891-0005 to add the statutory authority for the WACs. Specify that the WACs are DVR policies and the guidance in the DVR Customer Services Manual clarifies these policies and provides the procedures:</p> <p>WAC 388-891-0005 What is the purpose of this chapter? This chapter explains the types of vocational rehabilitation services (referred to as “VR services” in this chapter) available to individuals who are eligible through the Department of Social and Health Services (DSHS), Division of Vocational Rehabilitation (DVR).</p> <p>VR services are offered to assist individuals with disabilities to prepare for, get, and keep jobs that are consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. This chapter is consistent with the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1998 and codified in 34 Code of Federal Regulations, Parts 361 and 363, and 74.29 RCW Rehabilitation Services for Individuals with Disabilities, and with state laws and DSHS requirements.</p> <p>The DVR Washington Administrative Codes (WACs) are DVR policies, and the guidance in the DVR Customer Services Manual clarifies these policies and provides the procedures.</p>
	<p>Amend WAC 388-891-0010 add to the definition of employment outcome that DVR cannot support jobs that are illegal or that promote illegal activities.</p>

	<p>Add standards of ethical conduct for VR counselors and specify DVR counselor responsibilities and customer responsibilities:</p> <p>WAC 388-891-0010 What definitions apply to this chapter?</p> <p>Competitive employment means:</p> <ol style="list-style-type: none"> (1) Part-time or full-time work; (2) Work that is performed in an integrated setting; (3) Work for which an individual is paid at or above the minimum wage; and (4) Work for which an individual earns the same wages and benefits as other employees doing similar work who are not disabled. <p>Employment outcome means competitive employment, supported employment, self-employment, telecommuting, business ownership, or any other type of employment in an integrated setting that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice. DVR cannot support employment outcomes that are illegal or that promote illegal activities.</p> <p>Extended employment means work in a non-integrated or sheltered setting for a public or private non-profit agency or organization that provides compensation in accordance with the Fair Labor Standards Act.</p> <p>Extreme medical risk means medical conditions that are likely to result in substantial physical or mental impairments or death if services, including mental health services, are not provided quickly.</p> <p>Family member means a person who is your relative or legal guardian; or someone who lives in the same household as you and has a substantial interest in your well being.</p> <p>Individual with a disability means an individual:</p> <ol style="list-style-type: none"> (1) Who has a physical or mental impairment; (2) Whose impairment results in a substantial impediment (medical, psychological, vocational, educational, communication, and others) hindering her or his ability to achieve an employment outcome; and (3) Who can achieve an employment outcome as a result of receiving VR services.
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	<p>Integrated setting means:</p> <p>(1) The setting in which you receive a VR service is integrated if it is a setting commonly found in the community (such as a store, office or school) where you come into contact with non-disabled people while you are receiving the service. The non-disabled people you come into contact with are not the same people providing VR services to you.</p> <p>(2) The setting in which you work is integrated if it is a setting commonly found in the community where you come into contact with non-disabled people as you do your work. The amount of contact you have with non-disabled people is the same as what a non-disabled person in the same type of job would experience.</p> <p>Most recent tax year means the most recent calendar year for which you filed or were required to file an income tax return with the United States Internal Revenue Service (IRS).</p> <p>Physical, mental or sensory impairment means:</p> <p>(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or</p> <p>(2) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.</p> <p>Representative means any person chosen by an applicant or eligible individual, including a parent, family member or advocate, unless a representative has been appointed by a court to represent the individual, in which case the court-appointed representative is the individual's representative.</p> <p>Substantial impediment to employment means the limitations you experience as a result of a physical, mental or sensory impairment that hinder your ability to prepare for, find, or keep a job that matches your abilities and capabilities.</p> <p>Are there standards of ethical conduct for DVR counselors, counselor responsibilities and customer responsibilities?</p> <p>The following counselor responsibilities are consistent with DSHS policy and the code of ethics of the Commission on Rehabilitation Counselor Certification (CRCC). The following customer</p>
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responsibilities are consistent with the federal VR regulations and DVR policy:

(1) VR Counselor Responsibilities:

- a. Treat customers with dignity and respect.
- b. Perform one's job in a legal, ethical, and moral manner.
- c. Respect the integrity and protect the welfare of people with whom they work, particularly customers.
- d. Inform customers of their rights and responsibilities to make decisions about their vocational rehabilitation services.
- e. Provide substantial counseling and guidance to enable customers to make informed choices throughout the vocational rehabilitation process.
- f. Serve as advocates for people with disabilities. Ensure programs, facilities, and employment settings are accessible prior to referring customers to them.
- g. Respect and protect the confidentiality of information provided by customers in the course of their involvement with DVR.
- h. Practice consistent and equitable application of all DVR policies and procedures in the delivery of services to customers. Treat customers respectfully and equitably regardless of sex, race, creed, color, national origin, religion, sexual orientation, disabled veteran status, Vietnam-Era veteran status, disability, or age.
- i. Maintain professional relationships that contribute to the customer's rehabilitation. Ensure the customer-counselor relationship is not used or exploited for financial gain or other personal benefit. It is not ethical for a DVR counselor to have a sexual relationship with a customer.
- j. Provide counseling and guidance about the purpose, selection and use of VR services to promote a customer's vocational rehabilitation. Place or assist in the placement of customers in jobs consistent with their abilities and strengths, and not in positions that could damage the interests or welfare of the customer or the employer.
- k. Recognize one's personal strengths and limitations and seek supervisory guidance when those limitations may affect appropriate delivery of services to the customer.
- l. Act with integrity in one's relationships with colleagues, other organizations, agencies, institutions, referral

	<p>sources, and others to facilitate achieving optimum benefits for customers.</p> <ul style="list-style-type: none"> m. Strive to understand the accessibility issues of individuals with disabilities and to demonstrate this understanding in the performance of one's job. Make an effort to keep abreast of developments in rehabilitation practices through reading and attendance at professional meetings and trainings. n. Use state property, equipment, time, and resources only for program purposes. o. Determine eligibility for VR services; approve, amend or deny IPEs; authorize the purchase of vocational rehabilitation services; and close cases. <p>(2) Customer Responsibilities:</p> <ul style="list-style-type: none"> a. Treat DVR staff members with dignity and respect. b. Know and understand your customer rights, and ask for assistance if any rights are not understood. c. Be available to actively participate in VR services that are needed to determine your eligibility and develop or carry out your individualized plan for employment, IPE. d. Follow through with required or agreed upon timeframes, conditions, services and/or activities in your IPE. e. Work cooperatively with DVR staff members, vendors and other service providers that are involved in your vocational rehabilitation. f. Inform DVR if it is necessary to miss a scheduled appointment or if there are circumstances that may prevent or delay your IPE. g. Complete a DVR financial statement upon request, and notify DVR if there are any changes in your financial status. h. Promptly notify DVR of any circumstances that could impact your employment, such as a criminal history or a change in your legal work status, etc. i. Notify DVR of changes to your phone number, mailing address, or e-mail address. j. Obtain a service only after the service is authorized by the VR counselor in advance. (Services must be pre-authorized). k. Properly maintain equipment loaned to you by DVR and return the equipment upon request. l. Apply for and use comparable services and benefits such as financial aid, Medicare, Medicaid, or health
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	insurance.
Protection and Use of Confidential Information	<p>Amend WAC 388-891-0100 so the wording is consistent with the records retention policy DVR adopted in October 2008. Specify DVR keeps a closed case service record for six years. After six years the closed case service record is destroyed:</p> <p>WAC 388-891-0100 What personal information about me does DVR keep on file?</p> <p>DVR keeps a case service record while you are receiving services and for three six years after your case is closed. After six years the closed case service record is destroyed. The case service record includes, but is not limited to:</p> <ol style="list-style-type: none"> (1) The DVR application form or written request for VR services. (2) Documentation explaining the need for the trial work experience or extended evaluation, if conducted, and the written plan for conducting the trial work experience or extended evaluation, and documentation of progress reviews. (3) Documentation and records that support the determination of eligibility or ineligibility. (4) Documentation supporting the severity of disability and priority category determination. (5) Financial statement and/or related records. (6) Plan for employment, amendments to the plan, if amended, and information supporting the decisions documented on the plan. (7) Documentation describing how you used informed choice to make decisions throughout the process, including assessment services, selection of an employment outcome, VR services, service provider, type of setting and how to get VR services. (8) If VR services are provided in a setting that is not integrated, documentation of the reason(s) for using a non-integrated setting; (9) If you achieve a competitive employment outcome, documentation to show <ol style="list-style-type: none"> (a) Your wages and benefits; (b) That the job you have is <ol style="list-style-type: none"> (i) Described in your plan for employment; (ii) Consistent with your strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice; and (ii) In an integrated setting. (c) That the services provided to you in your plan for employment helped you become employed; (d) That you have been employed for at least 90 days and that

	<p>you no longer need vocational rehabilitation services;</p> <p>(e) That you and your VR counselor agree that your employment is satisfactory and that you are performing well; and</p> <p>(f) That you have been informed, through appropriate modes of communication about the availability of post-employment services.</p> <p>(10) If you are referred to another state or federal program for services to prepare for, find or keep a job, documentation of the referral, the reason(s) for the referral, and the name of the program(s) to which you are referred.</p> <p>(11) Documentation of case closure, including:</p> <p>(a) Reasons for closing the case service record;</p> <p>(b) How you were involved in the decision to close the case; and</p> <p>(c) A copy of the closure letter that explains the reason(s) for case closure and your rights if you disagree with the decision.</p> <p>(12) Documentation of the results of mediation or fair hearings, if held;</p> <p>(13) Documentation of annual reviews after your case service record is closed as outlined in WAC 388-891-1330 if:</p> <p>(a) You choose extended employment in a non-integrated setting;</p> <p>(b) You achieve a supported employment outcome in an integrated setting for which you are paid in accordance with section 14(c) of the Fair Labor Standards Act; or</p> <p>(c) DVR determines you are ineligible because you are too severely disabled to benefit from VR services.</p> <p>(14) Other documentation that relates to your participation in VR services, including your progress, throughout the VR process.</p>
	<p>Amend WAC 0103(1)- add examples of information DVR may obtain about a customer:</p> <p>WAC 388-891-0103 Can DVR obtain personal information about you?</p> <p>(1) In order to serve you, DVR may obtain personal information about you from service providers and cooperating agencies. This personal information helps us better understand your disabilities, barriers to employment, abilities, interests and needs for VR services and to coordinate DVR services with the services you receive from other agencies and programs. Examples of information DVR may obtain about you with your written consent includes, but is not limited to your:</p> <p>(a) Identity and work status;</p>

	<p>(b) Medical and mental health conditions;</p> <p>(c) Disabilities and functional limitations;</p> <p>(d) Drug and alcohol history and treatment recommendations;</p> <p>(e) Educational history;</p> <p>(f) Work history;</p> <p>(2) Examples of information that DVR may obtain about you without your written consent includes but is not limited to, information about your criminal history and a criminal background check or other public information;</p> <p>(2) (3) DVR may obtain financial information about you from state and federal agencies to verify benefits you receive from other agencies or programs, earnings and income from employment or self-employment. DVR will only collect such information if the state or federal agencies have legal authority to release it to DVR. This may occur with or without your consent.</p> <p>(3) If DVR collects information about you from service providers or other agencies, the information will not be released to others without your written consent.</p>
	<p>Add a WAC to specify if DVR receives information or records that reasonably lead the VR counselor to believe the customer has a criminal history a background check may be obtained and assessments may be required to assess whether the customer poses a risk to self or others in an employment or other setting:</p> <p>Can DVR obtain a criminal background check or require an assessment to assess if you pose a risk to yourself or others in an employment or other setting?</p> <p>If DVR receives information or records that reasonably lead the VR counselor to believe you have a criminal history, a criminal background check may be obtained (public information) and assessments may be required to assess whether you pose a risk to yourself or others in an employment or other setting.</p>
	<p>Amend WAC 388-891-0130(2) to specify that DVR may share information to obtain a criminal background check or other public information without the customer's written consent:</p> <p>WAC 388-891-0130 Can DVR share personal information in my record with others?</p> <p>(1) DVR shares personal information with others only if:</p> <p>(a) Another organization or program involved in your VR services needs the information to serve you effectively;</p> <p>(b) You request information in the case service record be shared with another organization for its program purposes;</p>

	<p>(c) You select an employment outcome in a field that customarily requires a criminal history background check as a condition of employment; and</p> <p>(d) release, exchange, or obtain the information.</p> <p>(2) DVR may release personal information without your written consent only under the following conditions:</p> <p>(a) To obtain a criminal background check on you;</p> <p>(b) If required by federal or state law;</p> <p>(c) To a law enforcement agency to investigate criminal acts, unless prohibited by federal or state law;</p> <p>(d) If given an order signed by a judge, magistrate, or authorized court official. An authorized court official is not an attorney that represents another party or requests a Subpoena Duces Tecum;</p> <p>(e) If DVR reasonably believes you are a danger to yourself or others;</p> <p>(f) To the DSHS Division of Child Support; or</p> <p>(g) To an organization, agency or person(s) conducting an audit, evaluation or research.</p>
Customer Rights	<p>Amend WAC 388-891-0215 add that a customer may request that a VR supervisor, Area Manager or the Field Services Administrator review a counselor's decision:</p> <p>WAC 388-891-0215 What if a DVR counselor makes a decision about my VR services that I don't agree with?</p> <p>(1) If a DVR counselor makes a decision that affects the VR services provided to you that you don't agree with, you may try to resolve the disagreement by any one of the following or a combination of the following:</p> <p>(a) Seek assistance from the client assistance program, talk to the VR counselor, talk to the VR supervisor, or talk to the DVR director or his or her designee;</p> <p>(b) Ask a VR supervisor, Area Manager or the Field Services Administrator to review a VR counselor's decision;</p> <p>(b) (c) Request mediation; and/or</p> <p>(c) (d) Request a fair hearing.</p> <p>(2) You may request a fair hearing and/or mediation while you continue to work with the DVR counselor, VR supervisor or DVR director or designee to resolve the disagreement. If you reach agreement prior to the date of the scheduled mediation or fair hearing, the request may be withdrawn.</p>
	<p>Add a WAC that specifies if a customer requests a VR service, reasonable accommodation, or other request that affects the customer's eligibility or participation in the VR program, the VR</p>

	<p>counselor responds to the request verbally and in writing within a specified period of time:</p> <p>What happens after you submit a request for a VR service, reasonable accommodation, or other request that affects your eligibility or your participation in the VR program?</p> <p>After receiving your request for a VR service, reasonable accommodation, or other request that affects your eligibility or your participation in the VR program, the VR counselor responds to your request verbally, and in writing within 7 business days of receiving the request. The written response includes approval or denial of your request, and your appeal rights if you disagree with the decision.</p>
	<p>Add a WAC that specifies the exceptions to policy that cannot be granted:</p> <p>Are there exceptions to policy that cannot be granted?</p> <ul style="list-style-type: none"> (1) The following exceptions to policy cannot be granted: <ul style="list-style-type: none"> (a) A customer's normal living expenses as a maintenance service. The federal VR regulations define a maintenance service as support for expenses such as food, shelter, or clothing that are in excess of a customer's normal living expenses; (b) Marijuana. Although the state of Washington legalized marijuana, the acquisition of marijuana under any circumstances is still against federal law. DVR is bound by federal law and cannot purchase or assist in the acquisition of marijuana. DVR cannot support an employment outcome that is related to the growing, selling, producing or distributing marijuana; (c) Court fees, attorney fees, fines or penalties related to illegal acts that result from any civil or criminal legal proceedings or related matters; (d) Insurance including, but not limited to, health, vehicle, home, and life insurance as outlined in WAC 388-891--- (formerly WAC 388-891-0670); (e) Payment by DVR of a customer's or other employee's salary or wages as part of a self-employment plan; (f) Religious education, training, supplies or materials as outlined in WAC 388-891-1137; (g) Refinancing existing business or personal debt, costs related to bankruptcies or co-signature of loans.

<p>Paying for Vocational Rehabilitation Services</p>	<p>Amend WAC 388-891-0300 to include tribal government services a customer receives because he or she is a member of an Indian tribe:</p> <p>WAC 388-891-0300 Under what conditions does DVR provide and/or pay for vocational rehabilitation services to individuals?</p> <p>DVR provides and pays for VR services if:</p> <ol style="list-style-type: none"> (1) You have completed the application requirements; (2) You have provided documents that verify your identity and legal work status; (3) DVR authorizes the services before the services begin; (4) The services are needed to: <ol style="list-style-type: none"> (a) Determine your eligibility for services; (b) Identify your vocational rehabilitation needs; and/or (c) Help you get and/or keep a job. (5) The services to be provided, except services listed in WAC 388-891-0310, are not provided to you or paid for, in whole or in part, by other federal, state, tribal government or local public agencies, by health insurance, or by employee benefits; (6) You have completed the financial statement, if required, and have agreed upon what portion, if any, you are required to pay for your VR services; and (7) The service provider meets all applicable federal, state, tribal and/or agency requirements for approval as a DVR service provider.
	<p>Amend WAC 388-891-0310- Remove (3) Independent living services and evaluations provided by DVR staff. (DVR staff no longer provides IL services):</p> <p>WAC 388-891-0310 What VR services are provided without determining whether services or benefits are available from another program or organization?</p> <p>DVR is not required to determine whether the following services or benefits can be provided to you or paid for, in whole or in part, by other federal, state, tribal government or local public agencies, by health insurance, or by employee benefits:</p> <ol style="list-style-type: none"> (1) Assessment services to determine eligibility and/or VR needs; (2) Counseling and guidance, including information and referral; (3) Independent living services and evaluations provided by DVR staff; (4) (3) Job placement and job retention services; (5) (4) Rehabilitation technology services; (6) (5) Post-employment services when providing the services

	listed in subsection 1 through 5 4 above.
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	<p>Amend WAC 388-891-0320 to include tribal government services a customer receives because he or she is a member of an Indian tribe:</p> <p>WAC 388-891-0320 What if looking for services and benefits available from another program would delay or interrupt my progress toward achieving an employment outcome?</p> <p>(1) A DVR counselor may begin providing VR services without conducting a review to determine whether services or benefits can be provided to you or paid for, in whole or in part, by other federal, state, tribal government or local public agencies, by health insurance, or by employee benefits if the review would delay or interrupt:</p> <p>(a) VR services to an individual determined to be at extreme medical risk, based on medical evidence provided by a qualified professional;</p> <p>(b) An immediate job placement; or</p> <p>(c) Your progress toward achieving the employment outcome identified on your individual plan for employment.</p> <p>(2) If you receive VR services before services or benefits are available from another program, you begin using the services and benefits from the other program when they become available.</p>
	<p>Amend WAC 388-891-0325 to include benefits from tribes as a comparable benefit:</p> <p>WAC 388-891-0325 Does DVR pay for a VR service if services and benefits are available from another program or organization, but I don't want to use them?</p> <p>Except for the services outlined in WAC 388-891-0310, DVR does not pay for services or benefits that can be provided to you or paid for, in whole or in part, by other federal, state or local government agencies, tribal government agencies, health insurance, or employee benefits. If you choose not to apply for and use the services or comparable benefits that are available to you, you are responsible for the cost of the services. If you are a tribal member who is eligible to receive the same comparable benefit from both tribal and non-tribal programs, you choose which program you will use.</p>
	<p>Amend WAC 388-891-0365- remove (8) Independent living services provided by DVR staff. DVR staff no longer provides independent living services. Change the reference to (8) services above to (7) services:</p> <p>WAC 388-891-0365 What VR program services am I not</p>

	<p>required to help pay for?</p> <p>You are not required to pay any portion of the following VR services, regardless of your financial status:</p> <ul style="list-style-type: none"> (1) Assessment services to determine eligibility or VR needs, including independent living evaluations; (2) Counseling and guidance services provided by DVR staff; (3) Information and referral services; (4) Interpreter and reader services; (5) Personal assistance services; (6) Job placement; (7) Job retention services; (8) Independent living services provided directly by DVR staff; and (9) (8) Post-employment services that include any of the services in subsections (1) through (8)(7) above.
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	<p>Add a WAC to emphasize that all purchases of goods and services must be authorized in advance (pre-authorized):</p> <p>Can DVR pay or reimburse you if you pay for a VR service that has not been approved by the VR counselor in advance? DVR cannot pay or reimburse you for any VR service that has not been approved by the VR counselor in advance. The only VR services you can be paid for or reimbursed, if the purchase has been approved by the VR counselor in advance, are maintenance services and transportation services (mileage only), as outlined in WAC 388-891----</p>
	<p>Add a WAC that specifies the conditions under which DVR can reimburse or make a direct payment to a customer for a maintenance service or transportation service (mileage only):</p> <p>What conditions apply for DVR to reimburse you or make a direct payment to you for a maintenance service or transportation services (mileage only)? You must meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <ul style="list-style-type: none"> (1) Maintenance service- you must provide DVR with the original invoices or itemized receipts; (2) Transportation services (mileage only)- You must provide DVR with documentation that shows you are the registered owner of the vehicle and proof you have current vehicle insurance and a valid driver's license. Before DVR can pay you a mileage/gasoline allowance, the VR counselor must determine that paying a mileage/gasoline allowance is the least cost transportation option. If public transit is available and meets your needs (including your accessibility needs) DVR will authorize services up to the amount of a bus pass. In areas where a discounted fare is offered to individuals with disabilities, DVR will authorize services in an amount up to the cost of a discounted fare bus pass. The mileage/gasoline allowance rate of 15 cents per mile is established by the DVR director, or designee. If a higher rate is needed you can request an exception to policy. The DVR director or designee will approve or deny your request. Your point-to-point mileage must be documented using an on-line map service such as MapQuest, Google, Bing, or other reputable source. To determine the mileage/gasoline allowance the VR counselor determines the number of miles, and pays a flat rate of 15 cents per mile.

	<p>Add a WAC that specifies DVR attempts to collect funds that were overpaid. If the customer does not repay the amount that was overpaid, the matter is referred to the DSHS Office of Financial Recovery:</p> <p>Are you required to repay DVR funds that were overpaid? If DVR pays you too much for a service you will be notified in writing of the amount that was overpaid. If you do not repay DVR the amount that was overpaid to you, DVR reports the loss to the DSHS Office of Financial Recovery (OFR). The OFR attempts to recover the amount that was overpaid from you. If the OFR cannot recover the amount that was overpaid from you, the OFR may report the loss to the local county prosecutor for legal action.</p>
	<p>Add a WAC that specifies the conditions under which DVR provides vehicle modifications as a rehabilitation technology service as specified in WAC 388-891-0665. (Moved from VR Services)</p> <p>Add the content about safety outlined in WAC 388-891-0775 to the WACs about vehicle purchase/loan and vehicle modifications. Amend WAC 388-891-0775 to specify that additional insurance requirements that apply for DVR to purchase/loan a vehicle or vehicle modifications for a customer are outlined in WAC 388-891---- (paying section)</p> <p>Specify that the counselor must agree that the customer can safely drive the vehicle or if the customer rides as a passenger that other individuals driving the vehicle can safely drive the vehicle. An assessment may be needed to determine that the individual or other drivers can safely drive the vehicle and all drivers must be covered by insurance.</p> <p>Specify if DVR purchases a modified vehicle for a customer and the customer disposes of the vehicle and asks DVR to pay for a replacement vehicle, the customer must contribute the residual value of the vehicle (based on Kelly Blue Book or similar source) towards the cost of the new modified vehicle:</p> <p>Under What conditions does apply for DVR provide to pay for vehicle modifications as a rehabilitation technology service? You must meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <p>(1) DVR does not have a question about your driving safety. An assessment may be required to determine that you, or if you are riding as a passenger that other individual's</p>

	<p>driving the vehicle can safely drive the vehicle.</p> <p>(2) DVR does not provide services to facilitate your driving or that of a driver using your vehicle if:</p> <ul style="list-style-type: none"> (a) Either you or the driver is uninsured; or (b) DVR is aware of any fact which raises a question regarding driving safety. Services to facilitate your driving include, but are not limited to, vehicle modifications as a rehabilitation technology service, car repairs, mileage/gasoline allowance, driver license, and license tabs. <p>(2) The DVR counselor has determined based on disability-related documentation that your disability is stable or slowly progressive and not likely to impair your driving ability in the future, if you plan to drive the vehicle.</p> <p>(3) You have provided documentation verifying that you and/or a family member is the registered and/or legal owner of the vehicle.</p> <p>(4) You have provided a copy of a current driver's license and vehicle license with required endorsements for you and/or family member(s) who will operate the vehicle.</p> <p>(5) If a used vehicle is to be modified, you have provided documentation of an inspection from a certified or journey level auto mechanic that verifies the vehicle is in good condition and capable of being modified.</p> <p>(6) DVR has obtained documentation from a specialist in evaluation and modification of vehicles for individuals with disabilities that prescribes and inspects the modification, except prescriptions are not required for:</p> <ul style="list-style-type: none"> (a) Placement of a wheelchair lift, ramp, or scooter lift and tie downs for passenger access only; (b) Replacement of hand controls; (c) Wheelchair carriers; and (d) Other minor driving aids. <p>(7) You have provided documentation of vehicle insurance adequate to cover the cost of replacement for loss or damage, including the cost of the modification.</p> <p>(8) You have demonstrated or provided documentation that verifies you and/or family member(s) designated as a driver can safely operate the vehicle as modified.</p> <p>(9) If DVR purchases a modified vehicle for you and you dispose of the vehicle and ask DVR to pay for a replacement vehicle, you must contribute the residual value of the vehicle (based on the Kelly Blue Book or similar source) towards the cost of the new modified vehicle.</p>
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	<p>Add a WAC that specifies the conditions under which DVR can purchases/loans a vehicle to a customer as specified in WAC 388-891-0770. (Moved from VR Services):</p> <p>Emphasize that a vehicle purchase must be approval by the DVR director or designee and that DVR is the legal owner and the customer is the registered owner.</p> <p>Add the content about safety outlined in WAC 388-891-0775 to the WACs about vehicle purchase/loan and vehicle modifications. Amend WAC 388-891-0775 to specify that additional insurance requirements that apply for DVR to purchase/loan a vehicle or vehicle modifications for a customer are outlined in WAC 388-891---- (paying section)</p> <p>Under What conditions can apply for DVR to purchase and loan a vehicle to a customer?</p> <p>DVR only purchases and loans a vehicle to you if you meet the conditions for paying for a VR service outlined in WAC 388-891-300 and the following additional conditions:</p> <ul style="list-style-type: none"> (1) DVR only purchases and loans a vehicle to you under exceptional circumstances; (2) The purchase must be approved by the DVR Director or designee; (3) If DVR purchases and loans a vehicle to you the vehicle remains the property of DVR and DVR is the legal owner and you are the registered owner of the vehicle. DVR does not transfer ownership to you until you achieve an employment outcome that requires the vehicle and you maintain the employment for at least 90 days; (3) DVR does not have a question about your driving safety. An assessment may be required to determine that you, or if you are riding as a passenger in the vehicle, that other individual's driving the vehicle can safely drive the vehicle. DVR does not provide services to facilitate your driving or that of a driver using your vehicle if: <ul style="list-style-type: none"> a. Either you or the driver is uninsured; or b. DVR is aware of any fact which raises a question regarding driving safety; (3) DVR provides purchases a vehicle as a transportation service only in exceptional circumstances to support another VR service on the IPE and must be approved by the Director or his or her designee. (4) A vehicle issued purchased and loaned to you remains the property of DVR until you achieve an employment outcome that requires the vehicle and you maintain the
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	<p>employment for at least 90 days.</p> <p>(3) The Director or his or her designee approves the purchase of a vehicle only if:</p> <ul style="list-style-type: none"> (a) A DVR counselor determines, based on disability-related documentation that your disability is stable or slowly progressive, and is not likely to impair your ability to drive in the future; (b) You and a DVR counselor agree it is a necessary service under your individualized plan for employment (IPE) because: <ul style="list-style-type: none"> (i) No other transportation options are available and it is not feasible for you to relocate to live closer to employment or other transportation options; or (ii) A vehicle is required as a condition of employment. A condition of employment means that you must have a vehicle to obtain or maintain employment. (d) You do not have a vehicle or your vehicle cannot be modified or repaired to the extent that you can drive it. <p>(4) Prior to issuing purchasing and loaning a vehicle to you, you must submit the following documents to DVR and you must agree to provide ongoing verification upon request of a DVR counselor:</p> <ul style="list-style-type: none"> (a) A copy of your current, valid driver's license; (b) A copy of your driving record disclosing any moving violations and indicating no criminal convictions related to driving a vehicle; (c) A copy of your motor vehicle insurance coverage with the following minimum coverage and conditions: <ul style="list-style-type: none"> (i) Liability in the amount of \$50,000/100,000/50,000; (ii) Uninsured motorist in the amount of \$50,000/100,000/50,000; (iii) Personal injury in the amount of \$100,000; (iv) Replacement cost of the vehicle, including special equipment and modifications, if applicable; (v) DVR is listed as the lien holder; and (vi) All drivers who use the vehicle are listed on the policy. (d) You have signed a written agreement with your DVR counselor that outlines how you will pay for vehicle maintenance and repair, as this is a requirement for subsequent ownership of the vehicle. (e) You have signed an agreement to return the vehicle to DVR upon request as long as DVR owns the vehicle. <p>(5) Before DVR transfers ownership of a vehicle that was purchased and loaned to you, you must submit documentation to verify:</p>
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	<p>(a) You are the registered owner of the vehicle; (b) The vehicle is insured to cover the cost of replacement for loss or damage at the time ownership is transferred.</p>
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	<p>Add a WAC that specifies the additional insurance requirements that apply to a customer if DVR purchases/loans a vehicle or vehicle modifications to a customer:</p> <p>What are the additional insurance requirements that apply to a customer if DVR purchases and loans a vehicle or pays for vehicle modifications for a customer?</p> <ol style="list-style-type: none"> 1. You must provide DVR with documentation that shows your insurance policy covers liability and enough insurance to cover the value of the vehicle and vehicle modifications; 2. You agree to list DVR as “additional insured” on the insurance policy. While DVR is listed on the title as the legal owner DVR has an “insurable interest” in the vehicle. If the vehicle is damaged or an insurance company determines the vehicle is a total loss and DVR is named on the policy as “additional insured” DVR is entitled to recover the amount it paid for the vehicle and/or vehicle modifications; 3. A copy of your vehicle insurance policy that includes the names of all drivers of the vehicle. The policy must include a clause for written notification to DVR if the vehicle insurance lapses, is cancelled, or there are driving infractions by the insured drivers that raises a question about safety; 4. If you are using a vehicle for employment purposes your insurance policy must have sufficient coverage to cover using the vehicle for employment or self-employment. Most insurance policies have an exclusion clause or charge a higher premium if a vehicle is used for employment purposes. This means you will pay a higher rate for insurance if you transport people or property for employment purposes. For example, you must have additional insurance coverage to use a vehicle as a taxicab or delivery van. The VR counselor must ensure and document that you have (or do not have) sufficient insurance to cover any losses that occur while you are using a vehicle for employment purposes.
	<p>Add a WAC that specifies in order to pay for a vehicle repair as described in WAC388-891-0765 the customer must provide DVR with documentation that shows s/he is the registered owner of the vehicle; s/he has current vehicle insurance; and a valid driver’s license. Approval (or denial) of an exception by the DVR supervisor is required to pay for a vehicle repair for a customer who rides as a passenger. A consideration for an exception includes but is not limited to, the customer rides as a passenger</p>

	<p>and a family member is the registered owner of the vehicle and the family member driving the vehicle has insurance and a valid driver's license:</p> <p>What conditions apply for DVR to pay for vehicle repairs? In order for DVR to pay for a vehicle repair you must meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <ol style="list-style-type: none">(1) You must provide DVR with documentation that shows you are the registered owner of the vehicle and proof you have current vehicle insurance and a valid driver's license;(2) An exception to policy by the DVR Director or designee is required to pay a vehicle repair if you are not the registered owner of the vehicle, or you do not have current vehicle insurance or a valid driver's license. Consideration of an exception to policy includes, but is not limited to, you are riding as a passenger and a family member is the registered owner of the vehicle and the family member driving the vehicle has current vehicle insurance and a valid driver's license.
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	<p>Add a WAC that specifies DVR can pay for insurance to repair or replace an assistive technology device, equipment or product as outlined in WAC 388-891-0675. (Moved from VR Services):</p> <p>What types of Can DVR pay for insurance to repair or replace an assistive technology device, equipment or product?</p> <p>insurance can DVR pay for?</p> <p>You must meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <ul style="list-style-type: none"> (1) DVR may pay for insurance for assistive technology devices, equipment and products which covers the cost to repair or replace them if they are lost or damaged and the individual with a disability is the holder of the device, equipment or product and is the named insured under the policy; and (2) The insurer pays for replacement or repair directly to the manufacturer or service provider; (3) DVR does not pay for other types of insurance including, but not limited to, health, vehicle, home, and life insurance.
	<p>Add a WAC that specifies the types of assistive technology warranties DVR can pay for as specified in WAC 388-891-0680. (Moved from VR Services):</p> <p>Can DVR pay for the initial warranty of an assistive technology device, equipment or product?</p> <p>You must meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <ul style="list-style-type: none"> (1) DVR may pay for an initial warranty for an assistive technology device, piece of equipment, or product for a specified period of time following the date of purchase if the warranty is available at the time of purchase by the manufacturer. An initial warranty may guarantee repair and/or replacement of parts or the entire device, equipment, or product when the parts and/or workmanship are faulty. (2) DVR may pay for an initial warranty or for a warranty that extends beyond the period of coverage of an initial warranty for an assistive technology device, piece of equipment, or product if <ul style="list-style-type: none"> (a) The individual with a disability is the holder of the device, equipment, or product; (b) The manufacturer provides a written guarantee for the materials and workmanship of the device, equipment, or product; and

	(c) The manufacturer replaces or repairs faulty parts and workmanship or replaces the device, equipment, or product in whole or the manufacturer directly pays a service provider to repair or replace parts and workmanship or the device, equipment, or product in whole.
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	<p>Add WAC that specifies the costs that DVR can pay for to support and IPE with self-employment in a particular field as an employment outcome?</p> <p>What are the costs that DVR can pay for to support an IPE with self-employment as the employment outcome?</p> <p>You must meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <ol style="list-style-type: none"> (1) DVR supports self-employment services on your IPE up to \$10,000 if self-employment is intended to be your primary source of income or up to \$3,000 if income from self-employment supplements your income from SSI, SSDI or other primary sources of income; (2) DVR only pays for self-employment services that are required for you to achieve an employment outcome. Start-up costs are based on the business plan and include costs related to operating the business. Start-up costs that DVR can support include, but are not limited to: <ol style="list-style-type: none"> a. Licenses; b. 60-day initial stock of goods for inventory; c. Marketing costs; d. Financial record keeping systems, software or services; e. Security deposits, or utility hook-ups at the location where you are self-employed; f. Consultations with a self-employment business consultant at key points in the self-employment process such as the feasibility analysis, business plan, monitoring monthly income and expense statements, or to provide technical assistance to identify or resolve issues prior to closure, at closure, and after closure for an agreed upon period.
	<p>Add a WAC that specifies the costs DVR cannot pay for to support an IPE for self-employment in a particular field as an employment outcome:</p> <p>What are the costs that DVR cannot pay for to support an IPE with self-employment as the employment outcome?</p> <ol style="list-style-type: none"> (1) DVR cannot pay for the following costs related to self-employment: <ol style="list-style-type: none"> a. Payment of your or other employees, salary or wages; b. Leases, purchase of property, real estate or insurance;

	<ul style="list-style-type: none">c. An employment goal that is religious in nature as outlined in WAC 388-891-1137;d. Refinancing an existing business or personal debt, costs related to bankruptcies or co-signature of loans.
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	<p>Add a WAC that specifies that DVR only pays for child care services provided by a licensed or certified child care provider as specified in WAC 388-891-0695. (Moved from VR Services):</p> <p>What conditions apply for DVR to pay for child care services?</p> <p>DVR only pays for child care services under the following conditions:</p> <p>You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and you meet the following additional conditions:</p> <ul style="list-style-type: none"> (1) DVR only pays for child care services provided by a licensed or certified child care provider; (2) DVR pays for child care in states bordering Washington if the child care provider meets their state's licensing or certification regulations; (3) DVR pays the licensed or certified child care provider's usual rates for child care services and payment is made directly to the child care provider. <p>WAC 388-891-0695 What types of child care does DVR provide to my family members?</p> <ul style="list-style-type: none"> (1) DVR pays for the following types of licensed child care and child care exempt from licensing in conformance with DSHS licensing or certification requirements and background check requirements: <ul style="list-style-type: none"> (a) Child day care centers; (b) Family child day care homes; and (c) School-age child care centers. (2) DVR pays for in-home or relative child care including: <ul style="list-style-type: none"> (a) Child care provided to your child(ren) in your home by a relative or other person; and (b) Child care provided to your child(ren) by a relative outside of your home. (3) To be authorized as an in-home/relative child care provider for DVR payment, your in-home or relative child care provider must comply with background check requirements outlined in Chapter 388-290 WAC. (4) DVR pays for child care in states bordering Washington if the child care provider meets their state's licensing regulations. (5) DVR pays the child care provider's usual rates for child care services directly to the child care provider.
	<p>Add a WAC that specifies the conditions under which DVR can pay for structural modifications (accessibility-related) or building materials at a customer's home, work site, or place of self-</p>

employment:

What conditions apply for DVR to pay for structural modifications (accessibility-related) or building materials at your home, worksite, or place of self-employment?

You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and you meet the following additional conditions:

- (1) DVR policy is not to pay for structural modifications or building materials at your home, worksite or place of self-employment. An exception to policy by the DVR Director or designee is required for DVR to pay for structural modifications or building materials at your home, worksite or place of self-employment;
- (2) The conditions that apply for DVR to pay for structural modifications (non-accessibility-related) are outlined in WAC 388-891----;
- (3) The structural modifications must be accessibility-related. Examples of accessibility-related modifications includes but is not limited to, a wheelchair ramp, widening of a doorway, or installation of grab bars;
- (4) DVR cannot purchase land, build a permanent structure, or modify exterior walls;
- (5) The VR counselor must determine that the modifications are the most effective solution and alternative employment or other living arrangements are not readily available;
- (6) If you are not the legal owner of the property:
 - a. The home owner or property owner must give their written consent for the modifications;
 - b. You must provide a statement from the home owner or the property owner that verifies you have a long-term lease or rental agreement. A long-term lease or rental agreement means that you agree to rent or lease the space that is going to be modified for at least two years;
 - c. The VR counselor must determine whether the home owner or property owner is able and willing to pay for the modifications. DVR does not pay for the modifications if the home owner or property owner is able and willing to pay for the modifications;
- (7) All required building permits must be obtained as required by the appropriate city, county, state, tribe or federal jurisdiction;
- (8) All construction must be completed by a licensed, insured, and bonded builder, or contractor;
- (9) Consultation with the DVR Assistive Technology and

	<p>Assessment Practitioner (ATAP) is required to:</p> <ul style="list-style-type: none"> a. Determine the scope of the project; b. Recommend additional assessments for example, from a physical therapist, or occupational therapist; c. Help you and the VR counselor determine if a contractor or architect needs to oversee the project; d. Oversee the bid process; <p>(10) Work site modifications are considered only if you have been hired or the employer provides a letter of intent to hire you;</p> <p>(11) DVR does not pay for work site modifications that an employer is legally required to provide under the American's with Disability Act (ADA), or Section 504 of the Rehabilitation Act of 1973, as amended. An exception to policy may be granted by the DVR Director or designee if your employment outcome is at risk because the employer is unable or unwilling to provide the accessibility-related structural modifications as a reasonable accommodation. Under these circumstances the DVR Director or designee can consider approving an exception to policy for DVR to pay for the accessibility-related structural modifications;</p> <p>(12) DSHS requires that purchases related to structural modifications in excess of \$1,000 must have quotes and documentation of vendor selection. In most instances the vendor that submits the least cost bid is selected. Other factors such as the availability of service, or when the vendor can do the modifications may be considered if an objective rating scale is provided when bids are requested and when a vendor is selected. The least cost is given the most weight in a rating scale.</p> <p>(13) After the modifications have been completed the VR counselor contacts the ATAP and the builder, contractor or architect, if they are involved, and arranges for a final inspection. The purpose of the final inspection is to make sure that the modifications meet your accessibility needs, that the modifications have been done to the project specifications, and the modifications meet all the applicable building codes;</p> <p>(14) Any work change orders must be approved by all parties in advance and DVR is not responsible to pay for anything that has not been approved in advance (pre-authorized);</p> <p>(15) Upon completion you and if you are not the home owner or the property owner, the home owner or property owner, the builder, contractor or architect, if they are involved, and the ATAP, and the VR counselor sign a</p>
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	<p>statement that says you agree that the job has been completed and you all are satisfied with the work that has been done. Final payment to the builder, contractor, or architect, if they are involved, is not made until everyone agrees that the job was done according to the project specifications and everything is satisfactory.</p>
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	<p>Add a WAC that specifies the conditions under which DVR can pay for structural modifications (non-accessibility-related) or building materials at a customer's home, work site, or place of self-employment</p> <p>What conditions apply for DVR to pay for structural modifications (non-accessibility-related) at your home, worksite, or place of self-employment?</p> <p>You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and you meet the following additional conditions:</p> <ol style="list-style-type: none"> (1) DVR policy is not to pay for structural modifications or building materials at your home, worksite or place of self-employment. An exception to policy by the DVR Director or designee is required for DVR to pay for structural modifications at your home, worksite or place of self-employment; (2) The conditions that apply for DVR to pay for structural modifications (accessibility-related) are outlined in WAC 388-891---- (3) DVR cannot purchase land, build a permanent structure, or modify exterior walls; (4) The VR counselor must determine that the modifications are the most effective solution and alternative employment or other living arrangements are not readily available; (5) If you are not the legal owner of the property: <ol style="list-style-type: none"> a. The home owner or property owner must give their written consent for the modifications; b. You must provide a statement from the home owner or the property owner that verifies you have a long-term lease or rental agreement. A long-term lease or rental agreement means that you agree to rent of lease the space that is going to be modified for at least two years; c. The VR counselor must determine whether the home owner or property owner is able and willing to pay for the modifications. DVR does not pay for the modifications if the home owner or property owner is able and willing to pay for the modifications; (6) All required building permits must be obtained as required by the appropriate city, county, state, tribe or federal jurisdiction; (7) All construction must be completed by a licensed, insured, and bonded builder, or contractor; (8) Work site modifications are considered only if you have been hired or the employer provides a letter of intent to
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	<p>hire you;</p> <p>(16) DVR does not pay for work site modifications that an employer is legally required to provide under the American's with Disability Act (ADA), or Section 504 of the Rehabilitation Act of 1973, as amended. An exception to policy may be granted by the DVR Director or designee if your employment outcome is at risk because the employer is unable or unwilling to provide the structural modifications as a reasonable accommodation. Under these circumstances the DVR Director or designee can consider approving an exception to policy for DVR to pay for the structural modifications;</p> <p>(9) DSHS requires that purchases related to structural modifications in excess of \$1,000 must have quotes and documentation of vendor selection. In most instances the vendor that submits the least cost bid is selected. Other factors such as the availability of service, or when the vendor can do the modifications may be considered if an objective rating scale is provided when bids are requested and when a vendor is selected. The least cost is given the most weight in a rating scale;</p> <p>(10) After the modifications have been completed you and the VR counselor and the builder, contractor or architect, if they are involved, and arranges for a final inspection. The purpose of the final inspection is to make sure that the modifications meet your needs, that the modifications have been done to the project specifications, and the modifications meet all the applicable building codes;</p> <p>(11) Any work change orders must be approved by all parties in advance and DVR is not responsible to pay for anything that has not been approved in advance (pre-authorized);</p> <p>(12) Upon completion you and if you are not the home owner or the property owner, the home owner or property owner, the builder, contractor or architect, if they are involved, and the VR counselor sign a statement that says you agree that the job has been completed and you all are satisfied with the work that has been done. Final payment to the builder, contractor, or architect, if they are involved, is not made until everyone agrees that the job was done according to the project specifications and everything is satisfactory.</p>
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	<p><i>Add a WAC that specifies the conditions under which DVR provides the DVR Customer Internship Program:</i></p> <p>What conditions apply for DVR to pay for the DVR Customer Internship Program?</p> <p>You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and you meet the following additional conditions:</p> <ol style="list-style-type: none"> (1) You are completing or you have recently completed a formal post-secondary, vocational-technical, certificate or academic program, and you need hands-on work experience to be a successful job applicant; (2) The employer hires you as a temporary employee and pays you at least the minimum wage and all of your salary and payroll expenses. DVR reimburses the employer for all of these expenses; (3) You must be pursuing an employment goal that: <ol style="list-style-type: none"> (a) Will be full time, competitive position (30 hours or more per week); (b) Pays a wage that is above entry level and consistent with the profession; (c) Is consistent with your post-secondary, vocational-technical or education credentials in your field; (4) The VR counselor, you and employer sign an agreement that documents: <ol style="list-style-type: none"> (a) The job to be performed, including a list of job duties. (b) Expected work schedule, including the internship beginning and end dates; (c) The intern rate of pay (must be at least the minimum wage); (d) Services DVR will provide during the internship. (e) The VR counselor follow-up schedule. (The VR counselor and employer agree how often, and what type of contact is required, in-person, phone, or e-mail, etc.) (f) Emergency contact information for you, VR counselor, and the employer; (5) The DVR supervisor must review and approve (or deny) all customer internship agreements prior to implementation.
	<p><i>Add a WAC that outlines the conditions for receiving training services at an institution of higher education as specified in WAC 388-891-0745. (Moved from VR Services)</i></p> <p><i>Specify that customers are expected to use the full financial aid grant toward the cost of IPE services:</i></p>

What conditions apply to receiving for DVR to pay for training services at an institution of higher education?

You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and you meet the following additional conditions:

- (1) Training at an institution of higher education (universities, colleges, community or junior colleges, vocational schools, technical institutes, or hospital schools of nursing) is provided only after you and a DVR counselor have made maximum efforts to get and use available grant funding from other sources to pay for costs related to attendance. Grant funding does not include student loans.*
- (2) You must provide DVR a copy of your grant funding award or denial form, statement of unmet need and/or student budget, and other related documentation.*
- (3) Financial aid is a comparable benefit and you are expected to use your full financial aid grant toward the costs of services in your individualized plan for employment (IPE);*
- (4) If an academic institution charges a fee to cover the cost of a student health clinic and the fee is required as a condition of registration, DVR may pay this fee.*
- (5) If an academic institution charges a liability fee to cover the costs of a student to register in high-risk courses/practicum and the fee is required as a condition of registration, DVR may pay this fee.*
- (6) The conditions under which DVR pays for summer tuition at an institution of higher education are outlined in WAC 388-891---- and the conditions under which DVR pays for training at a private school, out-f-state training institution or out-of-state college are outlined in WAC 388-891----*

	<p>Add a WAC that specifies if a customer choses to receive training services from a private school or an out-of-state program when an in-state or public program is available and adequate to meet the customer's needs, the customer is responsible for the costs that are in excess of the public or in-state program cots as specified in WAC 388-891-0750. (Moved from VR Services):</p> <p>Revise caption so it reads the conditions under which DVR pays for training at a private school or out-of-state training agency or college:</p> <p>What conditions apply for DVR to pay for training at a private school, an out-of-state training institution or out-of-state college?</p> <p>You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and you meet the following additional conditions:</p> <ul style="list-style-type: none"> (1) DVR pays for training services at the least cost possible. If you choose training services at a private or out-of-state program when an in-state or public program is available and adequate to meet your needs: <ul style="list-style-type: none"> a. DVR pays for training services up to the amount of the in-state or public program; and b. You are responsible for the costs that are in excess of the public or in-state program costs. <p>Can I receive training services from a private school, an out-of-state training agency or an out-of-state college? If you choose training services at a private or out-of-state program when an in-state or public program is available and adequate to meet your needs, you are responsible for costs that are in excess of the public or in-state program costs.</p>
	<p>Add a WAC that specifies the conditions under which DVR pays for summer tuition at an institution of higher education:</p> <p>What conditions apply for DVR to pay for summer tuition at an institution of higher education?</p> <p>DVR only pays for summer tuition at an institution of higher education if you meet the conditions for paying for a VR service outlined in WAC 388-891-300 and the following additional conditions:</p> <ul style="list-style-type: none"> (1) The summer term is necessary for you to complete a program, or take classes that are not generally available during the regular academic year; (2) If it is a benefit for you to take classes in the summer

	<p>because you lack stamina or there are other disability-related reasons that make it hard for you to take all of the classes you need during the regular academic term;</p> <p>(3) An employment opportunity is pending or likely to be available when you complete the program and you need to take a class or classes in the summer to complete your program;</p> <p>(4) You are in a field of study that does not typically offer internships, or for which an internship would not be beneficial.</p>
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	<p>Repeal WAC 388-891-0775. Incorporate questions about safety in the WACs for vehicle purchase/loan and vehicle modifications:</p> <p>WAC 388-891-0775 What happens if DVR has a question about my driving safety?</p> <p>(1) DVR does not provide services to facilitate your driving or that of a driver using your vehicle if:</p> <p>(a) Either you or the driver is uninsured; or</p> <p>(b) DVR is aware of any fact which raises a question regarding driving safety.</p> <p>(2) Services to facilitate your driving include, but are not limited to, vehicle modifications as a rehabilitation technology service, car repairs, gasoline money, driver license, and license tabs.</p>
	<p>Add a WAC that specifies the conditions under which DVR pays for a customer's relocation or moving expenses. An exception to policy must be approved (or denied) by the DVR Director or designee. Considerations for an exception to policy: Moving to participate in training or other VR service. A job offer has been verified by the VR counselor and is contingent upon relocation, the specialized nature of the job narrows availability to the degree that relocation is required; the distance from the customer's current residence to the job site; the individual's available resources; and DVR does not pay for a rental vehicle so a customer can move their own household belongings.</p> <p>What conditions apply for DVR to pay for your relocation or moving expenses so you can participate in training or other VR service or accept an offer of employment?</p> <p>You meet the conditions for DVR to pay for a VR service as outlined in WAC 388-891-0300 and the following additional conditions:</p> <p>(1) DVR policy is not to pay for your relocation or moving expenses. An exception to policy by the DVR Director or designee is required for DVR to pay for your relocation of moving expenses and DVR only pays for these expenses under the following conditions:</p> <p>(a) The training or other VR service you need to achieve an employment outcome is not available or adequate to meet your needs and not within commuting distance;</p> <p>(b) The VR counselor verifies that you have been offered a job contingent upon your relocation;</p> <p>(c) The specialized nature of the job narrows availability to the degree that relocation is</p>

	<p>required;</p> <ul style="list-style-type: none">(d) The distance from your current residence to the job site. It is not practical for you to commute such a long distance to work;(e) A financial statement shows that you lack the financial resources to pay for the relocation or moving expenses on your own;(f) DVR only pays for moving services provided by a moving company that is licensed and bonded. DVR does not pay for a rental vehicle so you can move your own household belongings.
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<p>Informed Choice</p>	<p>Add a WAC that specifies informed choice is not unlimited choice and explain some of the factors that limit informed choice:</p> <p>Does informed choice mean you have unlimited choice? Informed choice does not mean you have unlimited choice. The decisions you make about your employment outcome, VR services, service providers, employment setting and how to get VR services are limited by the following factors:</p> <ol style="list-style-type: none"> (1) The employment outcome you choose must be consistent with the information and results of the assessment of your VR needs, as outlined in WAC 388-891-1110; (2) Purchases of goods and services must be authorized by DVR before services begin (pre-authorized); (3) DVR pays for goods and services according federal and state laws, and other applicable laws, and DSHS policy; (4) The cost of services must meet your needs at the least cost possible; (5) The VR counselor must agree that services included in your individualized plan for employment are required for you to achieve an employment outcome. A service will not be provided if the VR counselor does not agree that the service is required for you to achieve an employment outcome; (6) Service providers must meet all federal, state, tribal, DSHS, and DVR requirements; (7) DVR does not pay for a VR service if other comparable services and benefits are available. If you choose not to apply for and use comparable services and benefits, you are responsible for the cost of the services, as outlined in WAC 388-891-0325; (8) If two or more service providers or programs offer comparable services, but one costs more and you choose the higher cost service or program, you are responsible for those costs in excess of the lower cost service. You can use resources other than DVR funds to pay for the remaining costs as outlined in WAC 388-891-0370.
<p>Vocational Rehabilitation Services</p>	<p>Amend WAC 388-891-0600 to include Structural Modifications at a customer's home, work site, or place of self-employment:</p> <p>WAC 388-891-0600 What vocational rehabilitation services are available to individuals from DVR? The following VR services are available to individuals from DVR:</p> <ol style="list-style-type: none"> (2) Assessment services; (3) Independent living evaluation and services; (3) Information and referral services;

	<p>(4) Interpreter services; (5) Job placement services; (6) Job retention services; (7) Maintenance services; (8) Occupational licenses; (9) Personal assistance services; (10) Physical and mental restoration services; (11) Rehabilitation technology services; (12) Self-employment services; (13) Services to family members; (14) Structural modifications (accessibility-related) or building materials at a customer's home, worksite, or place of self-employment; (15) Structural modifications (non-accessibility-related) or building materials at a customer's home, worksite or place of self-employment; (14) (16) Substantial counseling and guidance services; (15) (17) Tools, equipment, initial stocks and supplies; (16) (18) Training services; (17) (19) Transition services; (18) (20) Translation services; (19) (21) Transportation services; (20) (22) Other services; and (21) (23) Post-employment services.</p>
	<p>Add a WAC that specifies the type of assessments DVR conducts, obtains, or purchases and the purpose of these assessments:</p> <p>What are examples of assessments that DVR conducts, obtains or purchases and the purpose of these assessments?</p> <p>(1) DVR conducts assessments by reviewing information and records provided by you and your family, and the results of assessments that DVR obtains or purchases from a qualified professional or agency. Some of the assessments that DVR uses includes but is not limited to:</p> <p>(a) Assessment to determine your eligibility for DVR services. The eligibility criteria are outlined in WAC 388-891-1000. If the VR counselor cannot presume that you are capable of working as a result of receiving VR services because of the severity of your disability you will be asked to participate in an assessment called a trial work experience (TWE) or an extended evaluation. The VR counselor will evaluate the results of the trial work experience or extended evaluation to determine whether you can work as</p>

	<p>a result of receiving VR services and whether you are eligible for VR services. There is more information about trial work experience outlined in WAC 388-891-1015 and WAC 388-891-1030, and extended evaluation is outlined in WAC 388-891-1035 and WAC 388-891-1040;</p> <p>(b) Community Based Assessment (CBA) is used to identify your barriers to employment, or obtain information you need to select a suitable employment goal, or determine the VR services you need to achieve an employment outcome. A CBA is generally conducted after eligibility is determined. The only conditions under which a CBA is conducted before eligibility is if you are employed and information is needed about the VR services that are required for you to advance in employment or to maintain your employment;</p> <p>(c) Assessment of VR Needs and the Comprehensive Assessment help determine your needs and the VR services you need to achieve an employment outcome. The comprehensive assessment may include, as needed, an assessment of your personality, interests, interpersonal skills, intelligence and related functional abilities, educational abilities, work experience and other factors described in WAC 388-891-1100;</p> <p>(d) Vocational assessment is part of the comprehensive assessment. It helps you select an employment outcome that is consistent with your unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. Other factors considered in the vocational assessment are your interests (what you like), your aptitudes (what you are good at), your preferences (the kind of work you want to do), as well as information about your disabilities and functional limitations, employment barriers, labor market information, and the demand for certain occupations and jobs. You and the VR counselor consider all of these factors in selecting an employment outcome;</p> <p>(e) Psychological or neuropsychological evaluation is used to obtain a mental health diagnosis and help you and the VR counselor to understand the functional limitations this mental health condition may cause you in an employment or other setting;</p> <p>(f) Drug and Alcohol Evaluation helps identify if a substance abuse problem is present. Depending on the severity of the problem the VR counselor may require you to participate in services or treatment to maintain sobriety, such as Alcoholics Anonymous (AA), Narcotics</p>
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	<p>Anonymous (NA) or a state certified treatment program may be required and included in the terms and conditions of your individualized plan for employment (IPE);</p> <p>(g) Psychosexual Evaluation or a Sexual Offender Behavior Assessment is required if you have a history of violent or predatory acts. A current evaluation (within the past 2-3 years) is required by a Certified Sex Offender Treatment Provider (SOTP). The results of the assessment will help assess the risk you pose to yourself or others in an employment or other setting. Your participation in appropriate services to address the risk is a condition of receiving VR services. The type of employment outcome or employment settings that DVR supports may be limited based on the recommendations of qualified professionals, and depending on the level of risk. Disclosure of risk to service providers and prospective employers may be required;</p> <p>(h) Training as an assessment is training at an institution of higher education (university, college, or community college, vocational school, technical institute or hospital schools of nursing). The purpose of training as an assessment is to determine how well you do in school. The results of the assessment will help you and the VR counselor determine if it makes sense for you to pursue an employment outcome that requires a lot of formal academic or vocational-technical training. Typically, training as an assessment is limited to one term. If additional assessment in the training setting is needed to develop the IPE, the VR counselor may authorize one additional quarter as an assessment. The VR counselor considers the results of the one-term assessment before agreeing to include training services in your IPE;</p> <p>(i) Criminal Background Check and Risk Assessments- other assessments may be required as appropriate, to assess whether you pose a risk to yourself or others in an employment or other setting. If a DVR counselor receives information or records that reasonably lead the counselor to believe you have a criminal history a background check may be obtained and assessments may be required to assess whether you pose a risk to yourself or others in an employment or other setting.</p> <p>(j) History of Violent or Predatory Acts- If you have a history of violent or predatory behavior you must participate in an assessment conducted by a licensed psychiatrist, psychologist, counselor, certified sex offender treatment provider, or other qualified professional prior to developing</p>
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	<p>a plan for employment. The assessment is for the purpose of determining the level of risk you present to yourself or others in an employment situation. More information about this type of risk assessment is outlined in WAC 388-891-0110.</p>
	<p>Amend WAC 388-891-0655 to specify that DVR does not provide certain medical treatments rather than saying DVR does not pay for certain medical treatments:</p> <p>WAC 388-891-0655 What are the medical treatments DVR does not pay for provide? DVR does not pay for provide the following medical treatments:</p> <ol style="list-style-type: none"> (1) Maintenance of your general health or fitness, including, but not limited to, vitamins, in-patient hospital based weight loss programs or for-profit weight loss programs, exercise programs, health spas, swim programs and athletic fitness clubs; (2) Cosmetic procedures, such as facelifts, liposuction, cellulite removal; (3) Maternity care; (4) Hysterectomies, elective abortions, sterilization, and contraceptive services as independent procedures; (5) Drugs not approved by the Federal Drug Administration for general use or by state law; (6) Life support systems, services, and hospice care; (7) Transgender services including surgery and medication management; (8) Homeopathic and herbalist services, Christian Science practitioners or theological healers; and (9) Treatment that is experimental, obsolete, investigational, or otherwise not established as effective medical treatment.
	<p>Move WAC 388-891-0665 vehicle modifications as a rehabilitation technology service to the paying section:</p> <p>WAC 388-891-0665 What are the conditions that apply for DVR to pay for vehicle modifications as a rehabilitation technology service? The conditions that apply for DVR to pay for vehicle modifications as a rehabilitation technology service are outlined in WAC 388-891---- (paying section)</p> <p>WAC 388-891-0665 Under what conditions does DVR provide vehicle modifications as a rehabilitation technology service? DVR provides vehicle modifications under the following conditions:</p>

	<p>(1) DVR does not have a question about your driving safety as outlined in WAC 388-891-0775.</p> <p>(2) The DVR counselor has determined based on disability-related documentation that your disability is stable or slowly progressive and not likely to impair your driving ability in the future, if you plan to drive the vehicle.</p> <p>(3) You have provided documentation verifying that you and/or a family member is the registered and/or legal owner of the vehicle.</p> <p>(4) You have provided a copy of a current driver's license and vehicle license with required endorsements for you and/or family member(s) who will operate the vehicle.</p> <p>(5) If a used vehicle is to be modified, you have provided documentation of an inspection from a certified or journey level auto mechanic that verifies the vehicle is in good condition and capable of being modified.</p> <p>(6) DVR has obtained documentation from a specialist in evaluation and modification of vehicles for individuals with disabilities that prescribes and inspects the modification, except prescriptions are not required for:</p> <p style="padding-left: 40px;">(a) Placement of a wheelchair lift, ramp, or scooter lift and tie downs for passenger access only;</p> <p style="padding-left: 40px;">(b) Replacement of hand controls;</p> <p style="padding-left: 40px;">(c) Wheelchair carriers; and</p> <p style="padding-left: 40px;">(d) Other minor driving aids.</p> <p>(7) You have provided documentation of vehicle insurance adequate to cover the cost of replacement for loss or damage, including the cost of the modification.</p> <p>(8) You have demonstrated or provided documentation that verifies you and/or family member(s) designated as a driver can safely operate the vehicle as modified.</p>
	<p>Move WAC 388-891-0670 move to the paying section. Specify that DVR can pay for insurance to repair or replace an assistive technology device, equipment or product?</p> <p>WAC 388-891-0670 What types of insurance can DVR pay for? Can DVR pay for insurance to repair or replace an assistive technology device, equipment or product?</p> <p>The conditions that apply for DVR to pay for insurance to repair or replace an assistive technology device, equipment or product are outlined in WAC 388-891---- (paying section)</p> <p>(1) DVR may pay for insurance for assistive technology devices, equipment and products.</p> <p>(2) DVR does not pay for other types of insurance including, but not limited to, health, vehicle, home, and life insurance.</p>

	<p>Move WAC 388-891-0680 the assistive technology warranties DVR can pay for to the paying section:</p> <p>WAC 388 891-0680 What types of assistive technology warranties can DVR pay for? Can DVR pay for the initial warranty of an assistive technology device, equipment or product?</p> <p>The conditions that apply for DVR to pay for the initial warranty of an assistive technology device, equipment or product are outlined in WAC 388-891---- (paying section)</p> <p>(1) DVR may pay for an initial warranty for an assistive technology device, piece of equipment, or product for a specified period of time following the date of purchase if the warranty is available at the time of purchase by the manufacturer. An initial warranty may guarantee repair and/or replacement of parts or the entire device, equipment, or product when the parts and/or workmanship are faulty.</p> <p>(2) DVR may pay for an initial warranty or for a warranty that extends beyond the period of coverage of an initial warranty for an assistive technology device, piece of equipment, or product if</p> <p style="padding-left: 40px;">(a) The individual with a disability is the holder of the device, equipment, or product;</p> <p style="padding-left: 40px;">(b) The manufacturer provides a written guarantee for the materials and workmanship of the device, equipment, or product; and</p> <p style="padding-left: 40px;">(c) The manufacturer replaces or repairs faulty parts and workmanship or replaces the device, equipment, or product in whole or the manufacturer directly pays a service provider to repair or replace parts and workmanship or the device, equipment, or product in whole.</p>
	<p>Amend WAC 388-891-0685 to specify that self-employment services include start-up costs. Specify that the customer must participate substantially in the day-to-day core functions of the self-employment business:</p> <p>WAC 388-891-0685 What are self-employment services?</p> <p>Self-employment services include consultation and technical assistance and start-up costs to help you establish a small business to become self-employed and equipment, tools, initial stocks and supplies. Before a DVR counselor agrees to an IPE that includes a self-employment outcome, you must complete assessment services, including the development of a business plan that demonstrates that the self-employment you are considering is feasible, sustainable, and results in an employment outcome. DVR does not support hobbies or activities that do not</p>

	result in an income-producing self-employment outcome and you must participate substantially in the day-to-day core functions of the self-employment business. The costs that DVR can and cannot pay for to support an IPE with self-employment as the employment outcome are outlined in WAC 388-891---- and WAC 388-891---- (paying section)
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	<p>Add a WAC that specifies that self-employment is usually a sole proprietorship but may include partnerships, corporations or limited liability company (LLC) if the customer manages and holds controlling interest (51% or more). DVR does not support non-profit organizations, 501(C)(3) because an individual does not have legal standing with the organization:</p> <p>Does DVR support any type of self-employment organization?</p> <p>Self-employment is usually a sole proprietorship, but may include a partnership or limited liability company (LLC) if the customer manages and holds controlling interest (51% or more). DVR does not support non-profit organizations, 501(C)(3) because an individual does not have legal standing with a non-profit organization. Any purchases of equipment, tools, initial stocks and supplies can only be purchased for a customer and not for an organization.</p>
	<p>Add a WAC that specifies prior to supporting a self-employment plan, the DVR counselor considers the demands, risks and responsibilities of self-employment in the desired field, disability-related issues or concerns, as well as the customer's motivation, strengths, interpersonal skills, resources, long-term supports for supported employment, and income needs. The DVR counselor will also consider the barriers to employment and how these barriers would be addressed through self-employment. Add a WAC that specifies an individual's financial resources, credit history and money management skills must also be considered. Bankruptcy or other legal proceedings, overdue child support, tax and/ or debt issues must be resolved before proceeding with the development of an individualized plan for employment (IPE) with self-employment as the employment outcome:</p> <p>What are the other factors that a VR counselor considers in determining whether to support self-employment as an employment outcome?</p> <p>(1) The VR counselor considers the demands, risks and responsibilities of self-employment in the desired field, disability-related issues or concerns, as well as your motivation, strengths, interpersonal skills, resources, long-term supports for supported employment, and your income needs. The DVR counselor will also consider your barriers to employment and how these barriers would be addressed through self-employment.</p> <p>(2) Your financial resources, credit history and money management skills must also be considered. Bankruptcy or</p>

	other legal proceedings, overdue child support, tax and/ or debt issues must be resolved before proceeding with the development of an individualized plan for employment (IPE) with self-employment as the employment outcome.
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	<p>Add a WAC that specifies a new VR service Structural Modifications (Accessibility-Related) or Building Materials at a Customer's Home, Worksite or Place of Self-Employment:</p> <p>What types of structural modifications (accessibility-related) or building materials can be provide at your home, worksite or place of self-employment?</p> <p>DVR only provides structural modifications (accessibility-related) or building materials at your home, worksite, or place of self-employment as an exception to policy by the DVR Director or designee. Structural modifications must be accessibility-related. Examples of accessibility-related structural modifications includes, but is not limited to, a wheelchair ramp, widening of a doorway, or installation of grab bars. The conditions that apply for DVR to pay for structural modifications or building materials are outlined in WAC 388-891---- (paying section)</p>
	<p>Add a WAC that specifies a new VR service (Non-Access-Related Structural Modifications or Building Materials at a Customer's Home, Worksite or Place of Self-Employment:</p> <p>What are the structural modifications (non-accessibility-related) or building materials that DVR can provide at your home, worksite, or place of self-employment?</p> <p>DVR only provides structural modifications (non-accessibility-related) or building materials at your home, worksite, or place of self-employment as an exception to policy by the DVR Director or designee. Examples of structural modifications includes, but is not limited to, job station redesign, raising or lowering a desktop or countertop, adding an interior wall or a patrician, adding or removing a shelf, installing a light. The conditions that apply for DVR to pay for structural modifications (non-accessibility-related) or building materials are outlined in WAC 388-891---- (paying section)</p>
	<p>Move paying for child care services as specified in WAC 388-891-0695 to the paying section.</p> <p>WAC 388-891-0695 What types of conditions apply for DVR to pay for child care services does DVR provide to my family members?</p> <p>The conditions that apply for DVR to pay for child care services are outlined in WAC 388-891---- (paying section)</p> <p>(1) DVR only pays for (2) (3) the following types of licensed child care and child care exempt from licensing in conformance with DSHS licensing</p>

	<p>or certification requirements and background check requirements:</p> <ul style="list-style-type: none"> (a) Child day care centers; (b) Family child day care homes; and (c) School-age child care centers. <p>(2) DVR pays for in-home or relative child care including:</p> <ul style="list-style-type: none"> (a) Child care provided to your child(ren) in your home by a relative or other person; and (b) Child care provided to your child(ren) by a relative outside of your home. <p>(3) To be authorized as an in-home/relative child care provider for DVR payment, your licensed in-home or relative child care provider must comply with background check requirements outlined in Working Connections Child Care Chapter 388-290 170-290 WAC.</p> <p>(4) (2) DVR pays for child care in states bordering Washington if the child care provider meets their state's licensing or certification regulations.</p> <p>(5) DVR pays the licensed or certified child care provider's usual rates for child care services and payment is made directly to the child care provider.</p>
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	<p>Amend WAC 388-891-0710 to include the Customer Internship Program:</p> <p>WAC 388-891-0710 What are training services? Training services are designed to help you gain knowledge, skills and abilities needed to achieve an employment outcome. Training services, include, but are not limited to:</p> <ol style="list-style-type: none"> (1) On-the-job training; (2) Post-secondary training; (3) Technical or vocational training; (4) Basic education/literacy training; (5) Community rehabilitation program (CRP) training; (6) Customer Internship program; (7) Other miscellaneous training.
	<p>Amend WAC 0715 to specify with an OJT a customer is hired by an employer and DVR pays the employer a training fee to cover the extra costs associated with training the customer. An OJT can help a customer get work right away when a lengthy academic program is not practical or desired. There is an expectation that employment with the host employer will continue when the OJT is completed:</p> <p>WAC 388-891-0715 What is on-the-job training? On-the-job training (OJT) is training an employer provides to you after you are placed in a job to help you learn the skills you need. With an OJT you are hired by an employer and DVR pays the employer a training fee to cover the extra costs associated with training you. There is an expectation that employment with the host employer will continue when the OJT is completed. The employer must sign an agreement to include at a minimum:</p> <ol style="list-style-type: none"> (1) Training to be provided, including skills to be learned and training methods; (2) Duration or number of hours of training to be provided; (3) How the employer will evaluate and report your progress to DVR; (4) An agreed-upon fee based on the employer's costs to provide the training; and (5) Payment criteria.
	<p>Add a WAC that specifies the purpose of the customer internship program:</p> <p>What is the customer Internship program? The customer internship program is training that is provided by an employer after you have completed, or you about to complete, a formal post-secondary, vocational-technical, certificate or academic program. The customer internship program gives you</p>

	hands-on work experience. In a customer internship program the employer hires you as a temporary employee and pays you at least the minimum wage and your payroll taxes. DVR reimburses the employer for these expenses. The conditions that apply for DVR to pay for the customer internship program are outlined in WAC 388-891---- (paying section)
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	<p>Move WAC 388-891-0745 to paying section to outline the conditions for receiving training services at an institution of higher education, and specify that customers are expected to use the full financial aid grant toward the cost of IPE services.</p> <p>WAC 388-891-0745 What are the conditions that apply to receiving for DVR to pay for training services at an institution of higher education?</p> <p>The conditions that apply for DVR to pay for training services at an institution of higher education are outlined in WAC 388-891---- (paying section)</p> <p>(1) Training at an institution of higher education (universities, colleges, community or junior colleges, vocational schools, technical institutes, or hospital schools of nursing) is provided only after you and a DVR counselor have made maximum efforts to get and use available grant funding from other sources to pay for costs related to attendance. Grant funding does not include student loans.</p> <p>(2) You must provide DVR a copy of your grant funding award or denial form, statement of unmet need and/or student budget, and other related documentation.</p> <p>(3) Financial aid is a comparable benefit and you are expected to use your full financial aid grant toward the costs of services in your individualized plan for employment (IPE);</p> <p>(3) (4) If an academic institution charges a fee to cover the cost of a student health clinic and the fee is required as a condition of registration, DVR may pay this fee.</p> <p>(4) (5) If an academic institution charges a liability fee to cover the costs of a student to register in high-risk courses/practicum and the fee is required as a condition of registration, DVR may pay this fee.</p>
	<p>Move WAC 388-891-0770 to the paying section:</p> <p>WAC 388-891-0770 Under What conditions does apply for DVR provide to purchase and loan a vehicle to a customer?</p> <p>The conditions that apply for DVR to purchase and loan a vehicle to a customer are outlined in WAC 388-891---- (paying section)</p> <p>(1) DVR provides a vehicle as a transportation service only in exceptional circumstances to support another VR service on the IPE and must be approved by the Director or his or her designee.</p> <p>(2) A vehicle issued to you remains the property of DVR until you achieve an employment outcome that requires the vehicle and you maintain the employment for at least 90 days.</p>

	<p>(3) The Director or his or her designee approves the purchase of a vehicle only if:</p> <ul style="list-style-type: none"> (a) A DVR counselor determines, based on disability-related documentation that your disability is stable or slowly progressive, and is not likely to impair your ability to drive in the future; (b) You and a DVR counselor agree it is a necessary service under your individualized plan for employment (IPE) because: <ul style="list-style-type: none"> (i) No other transportation options are available and it is not feasible for you to relocate to live closer to employment or other transportation options; or (ii) A vehicle is required as a condition of employment. (c) You do not have a vehicle or your vehicle cannot be modified or repaired to the extent that you can drive it. <p>(4) Prior to issuing a vehicle to you, you must submit the following documents to DVR and you must agree to provide ongoing verification upon request of a DVR counselor:</p> <ul style="list-style-type: none"> (a) A copy of your current, valid driver's license; (b) A copy of your driving record disclosing any moving violations and indicating no criminal convictions related to driving a vehicle; (c) A copy of your motor vehicle insurance coverage with the following minimum coverage and conditions: <ul style="list-style-type: none"> (i) Liability in the amount of \$50,000/100,000/50,000; (ii) Uninsured motorist in the amount of \$50,000/100,000/50,000; (iii) Personal injury in the amount of \$100,000; (iv) Replacement cost of the vehicle, including special equipment and modifications, if applicable; (v) DVR is listed as the lien holder; and (vi) All drivers who use the vehicle are listed on the policy. (d) You have signed a written agreement with your DVR counselor that outlines how you will pay for vehicle maintenance and repair, as this is a requirement for subsequent ownership of the vehicle. (e) You have signed an agreement to return the vehicle to DVR upon request as long as DVR owns the vehicle. <p>(5) Before DVR transfers ownership of a vehicle to you, you must submit documentation to verify:</p> <ul style="list-style-type: none"> (a) You are the registered owner of the vehicle; (b) The vehicle is insured to cover the cost of replacement for loss or damage at the time ownership is transferred.
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	<p>Add reference to WAC in the paying section for the conditions under which DVR can reimburse a mileage/gasoline allowance or pay for a vehicle repair:</p> <p>WAC 388-891-0765 What are transportation services? Transportation services include travel and related expenses necessary for you to participate in VR services, such as a bus pass, reimbursement for gasoline, purchase or repair of a vehicle. The conditions that apply for DVR to reimburse you for a mileage/gasoline allowance or pay for a vehicle repair are outlined in WAC 388-891---- and WAC 388-891---- (paying section)</p>
	<p>Repeal WAC 388-891-0775 add the question about safety to the vehicle purchase and vehicle modifications WACs in the paying section:</p> <p>WAC 388-891-0775 What happens if DVR has a question about my driving safety? (1) DVR does not provide services to facilitate your driving or that of a driver using your vehicle if: (a) Either you or the driver is uninsured; or (b) DVR is aware of any fact which raises a question regarding driving safety. (2) Services to facilitate your driving include, but are not limited to, vehicle modifications as a rehabilitation technology service, car repairs, gasoline money, driver license, and license tabs.</p>
Supported Employment	<p>Amend WAC 388-891-0800 to specify that DVR provides ongoing support services to help a customer get a job, and stabilize on the job. Extended services are provided and funded by another individual, program or agency that helps the customer maintain employment.</p> <p>Remove the reference to transitional employment for an individual who has chronic mental illness. DVR no longer provides this service.</p> <p>WAC 388-891-0800 What is supported employment? (1) Supported employment is: (a) Competitive work; or (b) Work in an integrated setting while you work toward competitive work consistent with your strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice; or (c) Transitional employment for an individual with a most</p>

	<p>severe disability due to chronic mental illness.</p> <p>(2) Supported employment is for an individual with a most severe disability who:</p> <ul style="list-style-type: none"> (a) Has not traditionally worked in competitive employment; or (b) Has worked in competitive employment, but the disability has caused the individual to stop working, or work off and on; and (c) Needs intensive supported employment services and extended services to work because of the nature and severity of the disability. <p>(3) Supported employment includes ongoing support services that DVR provides to help you get a job and stabilize on the job, and extended services that are provided and funded by another individual, program or agency that helps you maintain your employment.</p>
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	<p>Amend WAC 388-891-0850- specify ongoing support services instead of supported employment services:</p> <p>WAC 388-891-0850 What are extended services? Extended services help you keep your job after DVR stops providing or paying for supported employment ongoing support services.</p>
	<p>Amend WAC 388-891-0875- specify ongoing support services instead of supported employment services, and add clarification about job stabilization:</p> <p>WAC 388-891-0875 What is required for me to change from supported employment ongoing support services to extended services? Prior to helping you change from supported employment ongoing support services to extended services, a DVR counselor must ensure the following:</p> <ol style="list-style-type: none"> (1) You have made substantial progress toward meeting the number of work hours per week you want to work as documented on your individualized plan for employment; (2) You are stabilized in the job; and you and your DVR counselor agree that the job is satisfactory; you are performing the job well; your DVR counselor has verified with the employer that you meet the employer's expected level or work productivity; and you no longer need ongoing support services; (3) Extended services are readily available and can be provided to you without an interruption in services.
	<p>Amend WAC 388-891-0890- specify ongoing support services instead of supported employment services:</p> <p>WAC 388-891-0890 Under what conditions does DVR provide supported employment services as post-employment services? DVR provides supported employment services to you as post-employment services following the change from supported employment ongoing support services to extended services if:</p> <ol style="list-style-type: none"> (1) Your extended service provider cannot provide the services; and (2) You need such services as job station redesign, repair and maintenance of assistive technology devices and replacement of prosthetic and orthotic devices to keep your job.
Applying for Vocational Rehabilitation	<p>Amend WAC 388-891-0910 to specify if an individual does not provide documentation of identity and legal work status DVR can pay for medical records but does not pay for additional services, including assessment services, until DVR receives the necessary documentation:</p>

Services	<p>WAC 388-891-0910 Am I required to provide proof of my identity and work status? Before DVR pays for VR services, including assessment services, you must provide copies of documents requested by DVR that verify your identity and, if you are not a United States citizen, your legal work status. If you don't provide documentation of your identity and legal work status DVR can pay for medical records but does not pay for additional services, including assessment services, until DVR receives the necessary documentation.</p>
	<p>Amend WAC 388-891-0920 to specify that otherwise present means that the customer is available to participate in required assessment services and/or VR services needed to determine eligibility for DVR services, or services in their individualized plan for employment that are required for the customer to achieve an employment outcome:</p> <p>WAC 388-891-0920 If I don't live in Washington, can I receive VR services? The state in which you live has the primary responsibility to provide VR services to you. If you are not a resident of Washington state, you may receive VR services if you maintain a home, are registered to vote, or are otherwise present in the state. "Otherwise present in the state" means that you are available to actively participate in required assessment services and/or VR services.</p>
	<p>Add a WAC that specifies a case can be open at the same time in more than one state VR agency:</p> <p>Can a case be open at the same time in more than one state VR agency? A case can be open at the same time in more than one state VR agency as long as services are coordinated and not duplicated.</p>
	<p>Amend WAC 388-891-0930 to specify that an individual may apply for VR services from DSB or from DVR or both agencies:</p> <p>WAC 388-891-0930 Can I receive VR services if I am legally blind? The Washington State Department of Services for the Blind (DSB), under an agreement with DVR, is the primary agency responsible for providing vocational rehabilitation services to individuals who are blind or have a visual impairment resulting in an impediment to employment. You may apply for vocational</p>

	<p>rehabilitation services from DSB or from DVR or from both agencies. DSB and DVR may coordinate to provide joint services if you would benefit from such coordination.</p>
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	<p>Add a WAC to explain that because DSHS is a voter registration assistance agency DVR offers customers an opportunity to register to vote. Customers are not required to register to vote to receive DVR services:</p> <p>Does DVR offer you the opportunity register to vote? The Department of Social and Health Services (DSHS) is a voter registration assistance agency. As a division of DSHS, DVR offers you the opportunity to register to vote. You do not have to register to vote to receive DVR services.</p>
Eligibility	<p>Amend WAC 288-891-1005(2) move information from number 2 on presumptive eligibility to WAC 388-891-1020. Specify that an individual is presumed to be eligible for VR services upon verification of Social Security disability benefits:</p> <p>WAC 388-891-1005 How does DVR determine if I am eligible?</p> <p>(1) A DVR counselor reviews and assesses information and records about the current status of your disability and determines whether you meet the eligibility requirements outlined in WAC 388-891-1000. A DVR counselor bases the determination on observations, education records, medical records, information provided by you or your family, and information provided by other agencies or professionals.</p> <p>(a) If information or records are not current, not available, or not sufficient for a DVR counselor to determine if you are eligible, DVR provides the assessment services necessary to get the information needed to make a decision.</p> <p>(b) VR services used to collect additional information and records to determine eligibility can include trial work, assistive technology, personal assistant services, or any other support services necessary to determine if you are eligible.</p> <p>(c) DVR assists you to make informed choices in the decisions related to assessment services needed to make an eligibility determination.</p> <p>(d) If you refuse to provide or consent to the release of records or if you refuse to participate in VR services necessary to obtain information required to make an eligibility determination your VR case service record is closed.</p> <p>(2) If you receive Social Security disability benefits under Title II or Title XVI of the Social Security Act and you are capable of working after receiving VR services, DVR determines you are eligible presumes that you are eligible upon verification of your Social Security disability benefits.</p> <p>(a) If you cannot provide appropriate evidence, such as an</p>

	<p>award letter from the Social Security Administration, or other type of verification, DVR may request the verification for you, with your consent.</p> <p>(b) DVR makes maximum efforts to obtain the verification in a reasonable period of time and to determine eligibility within 60 days from the date you complete the application requirements.</p>
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	<p>Add a WAC that specifies current illegal drug use or the current use of alcohol is not considered a disabling condition. (Rehab Act Sec. 7 Definitions, (20)(C)(i):</p> <p>Is the current use of an illegal drug or the current use of alcohol considered a disabling condition for which an individual can be determined eligible for DVR services? The current use of an illegal drug or the current use of alcohol is not considered a disabling condition for which an individual can be determined eligible for DVR services.</p>
	<p>Add a WAC on advance in employment:</p> <p>What conditions apply for DVR to determine that you are eligible for DVR services to advance in employment? DVR will determine that you are eligible for DVR services to advance in employment if you must meet the eligibility criteria outlined in WAC 388-891-1000 and the following additional conditions:</p> <ol style="list-style-type: none"> (1) You are currently “under-employed” in a job that is not consistent with your strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice; and (2) Your disability prevents you from advancing in employment. The reason that you are “under-employed” and not advancing in employment must be because of your disability and not a choice to work in your current position.
	<p>Amend WAC 388-891-1020 add guidance about presumptive eligibility from WAC 388-891-1005(2). Specify for presumptive eligibility Social Security disability benefits must be verified and the customer must be capable of working after receiving VR services. Specify that presumptive eligibility does not mean that an individual is entitled to any VR service:</p> <p>WAC 388-891-1020 Am I presumed to be eligible for VR services if I receive Social Security disability benefits?</p> <ol style="list-style-type: none"> (1) If you receive Social Security disability benefits under Title II or Title XVI of the Social Security Act (SSI or SSDI), and you are capable of working after receiving vocational rehabilitation services, DVR presumes that you are an eligible individual upon verification of your Social Security disability benefits; (2) If you cannot provide appropriate evidence, such as an award letter from the Social Security Administration, or other type of verification, DVR may request the verification

	<p>for you, with your consent;</p> <p>(3) DVR makes maximum efforts to obtain the verification in a reasonable period of time and to determine eligibility within 60 days from the date you complete the application requirements;</p> <p>(4) Presumptive eligibility does not mean that you are entitled to any VR service;</p> <p>(5) Even if you are presumed eligible the VR counselor still may need to obtain information about your disabilities and barriers to employment. This information will be used to complete the eligibility process. This information may also be included in the comprehensive assessment of your VR needs as outlined in WAC 388-891-1100.</p>
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	<p>Add a WAC before WAC 388-891-1030 that specifies if an individual does not meet the eligibility criteria he or she can be determined to be not eligible or no longer eligible at any time. For example, an individual's condition may improve and VR services are not required for the individual to achieve an employment outcome. Or, the individual's disabilities may worsen and the DVR counselor may not be able to presume that the individual can benefit from VR services due to the significance of the individual's disabilities. Before determining that the individual's disabilities are too significant to benefit from VR services the DVR counselor conducts a trial work experience or extended evaluation:</p> <p>If you don't meet the eligibility criteria will the DVR counselor determine that you are not eligible or no longer eligible for DVR services?</p> <p>If you don't meet the eligibility criteria as outlined in WAC 388-891-1000, the DVR counselor will determine that you are not eligible or no longer eligible for DVR services. For example, your condition may improve and VR services are not required for you to achieve an employment outcome. Or, your condition may worsen and the DVR counselor may not be able to presume that you can benefit from VR services due to the significance of your disabilities. Before determining that your disabilities are too significant for you to benefit from VR services the DVR counselor conducts a trial work experience or extended evaluation.</p>
Individualized Plan for Employment	<p>Amend WAC 388-891-1105 to specify if a DVR counselor receives information or records that reasonably lead the DVR counselor to believe the customer has a criminal history a background check may be obtained and assessments may be required to assess whether the customer poses a risk to self or others in an employment or other setting:</p> <p>WAC 388-891-1105 Do I have to disclose criminal history information to DVR?</p> <p>(1) You must disclose information to DVR before you develop a plan for employment about conditions or circumstances, such as a criminal record, identity and work status, that restrict the type of employment you can legally perform.</p> <p>(2) If you select an employment outcome in a field that customarily requires a background check as a condition of employment, DVR must obtain a criminal history background check that verifies you are not excluded from employment in the</p>

	<p>field and/or specific job prior to IPE development.</p> <p>(3) if a DVR counselor receives information or records that reasonable led the counselor to believe you have a criminal history a criminal background check may be obtained with or without your written consent (public information) and the counselor may require you to participate in assessment(s) to assess whether you pose a risk to yourself or others in an employment or other setting.</p>
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	<p>Add a WAC that specifies if the customer does not make satisfactory progress in their individualized plan for employment (IPE), the DVR counselor determines the reason for the lack of progress and takes the appropriate steps to address the issues or problems that are keeping the customer from making satisfactory progress. If a customer is not making satisfactory progress and refuses to take the appropriate steps to address the situation the DVR counselor may close the customer's case service record:</p> <p>What happens if you don't make satisfactory progress in your individualized plan for employment?</p> <ul style="list-style-type: none"> (1) If you are not making satisfactory progress in your individualized plan for employment the DVR counselor determines the reason for the lack of progress, and takes the appropriate steps to address the issues or problems that are keeping you from making satisfactory progress; (2) If you are not making satisfactory progress and you refuse to take the appropriate steps to address the situation the DVR counselor may close your case service record because you refuse to cooperate in required or agreed upon conditions or services.
	<p>Amend WAC 388-891- 1140 to specify if an IPE has an employment outcome for self-employment and a feasibility analysis, business plan, start-up costs, and/or self-employment consultant services are required these services must be included in the IPE for self-employment. The IPE for self-employment also must include the terms and conditions; specific timelines for monitoring progress; monthly financial reporting requirements such as income and expense statements; the agreed upon steps to be taken if measureable progress cannot be made including conditions that would result in discontinuing the self-employment venture if it is not making satisfactory progress; how the DVR counselor and customer will handle unforeseen expenses that arise after the IPE is signed; and the closure criteria, including the agreed upon income level consistent with the projections outlined in the business plan:</p> <p>WAC 388-891-1140 What must be included on the IPE form?</p> <p>An IPE must include:</p> <ul style="list-style-type: none"> (1) An employment outcome that is consistent with the definition of employment outcome in WAC 388-891-0010; (2) The VR services you need to achieve the employment outcome; (3) Timeline for each service on your IPE and for achieving the employment outcome;

	<p>(4) The name of the person or organization selected to provide each service included on the IPE and how you will obtain the services;</p> <p>(5) Criteria you will use to evaluate whether you are making satisfactory progress toward achieving the employment outcome;</p> <p>(6) Terms and conditions, including:</p> <ul style="list-style-type: none"> (a) A description of what DVR has agreed to do to support your IPE; and (b) A description of what you have agreed to do to reach your employment outcome, including: <ul style="list-style-type: none"> (i) Steps you will take to achieve your employment goal; (ii) Services you agree to help pay for, and how much you agree to pay; and (iii) Services you agree to apply for and use that are available to you at no cost from another program. <p>(7) Expected need for post-employment services prior to closing the case service record and, if appropriate, a statement of how post-employment services are arranged using comparable services and benefits;</p> <p>(8) If the employment outcome is for self-employment and a feasibility analysis, business, plan, start-up costs, and/or self-employment consultant services are required these services must be included in your IPE. An IPE for self-employment must also include:</p> <ul style="list-style-type: none"> (a) The terms and conditions; (b) Specific timeframes for monitoring progress; (c) The monthly financial reporting requirements such as income and expenses statements; (d) The agreed upon steps that will be taken if satisfactory progress is not made including the conditions that would result in discontinuing DVR support for the self-employment plan if it is not making satisfactory progress; (e) How you and the DVR counselor will handle unforeseen expenses that arise after the IPE is signed; (f) The closure criteria, including the agreed upon income level that is consistent with the projections outlined in the business plan; <p>(9) An IPE that includes a supported employment outcome must also document:</p> <ul style="list-style-type: none"> (a) Supported employment services to be provided; (b) Extended services or natural supports that are likely to be needed; (c) Who will provide and pay for natural supports or extended services. If it is not known who will provide and/or pay for extended services or natural supports at the time the IPE is developed, the IPE must include a statement
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	<p>explaining the basis for determining that a resource is likely to become available.</p> <p>(d) A goal for the number of hours per week you are going to work and a plan to monitor your progress toward meeting the goal;</p> <p>(e) A description of how the services on your IPE are coordinated with other federal or state services you get under an individualized plan;</p> <p>(f) If job skills training is provided, the IPE must reflect that the training is provided on-site.</p> <p>(g) Placement in an integrated setting for the maximum number of hours possible based on your strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.</p> <p>(9) (10) An IPE for a high school student who is receiving special education services is coordinated with the Individualized Education Plan in terms of the goals, objectives, and services identified to the extent possible.</p>
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Loaning Equipment	<p>Amend WAC 388-891-1200- add specification that under certain conditions, the DVR Director or designee may approve an exception to policy that allows a customer to keep loaned equipment even though the customer didn't achieve an employment outcome. Conditions include, but are not limited to, the equipment helps address the customer's barriers to employment, the equipment benefits the customer but it is outdated or in poor condition and would have little value to someone else, or a customer dies. Under these conditions DVR can make a "business decision" to a sign over the equipment to a customer:</p> <p>What are the conditions that apply for DVR to allow you to keep equipment that DVR loaned to you even though you don't achieve an employment outcome?</p> <p>The DVR Director or designee may approve an exception to policy to allow you to keep equipment that DVR loaned to you even though you don't achieve an employment. Some of the conditions under which an exception to policy may be approved includes, but is not limited to, the equipment addresses your barriers to employment, the equipment benefits you but it is outdated or in poor condition and it would have little value to someone else, or you die and it doesn't make sense for DVR to recover the equipment from your estate. Under these conditions DVR can make a "business decision" to sign over the equipment even though you don't achieve an employment outcome.</p>
Case Closure	<p>Amend WAC 1300 so the closure reasons align with the RSA reporting requirements:</p> <p>WAC 388-891-1300 Why does DVR close a case service record?</p> <p>A DVR counselor closes your case service record for any of the following reasons:</p> <p>(1) You achieve an employment outcome as outlined in WAC 388-891-1310;</p> <p>(2) DVR determines that you do not meet the eligibility criteria outlined in WAC 388-891-1000 and you are not eligible or no longer eligible because:</p> <ul style="list-style-type: none"> (a) You accepted extended employment as defined in WAC 388-891-0010 in a non-integrated setting; (b) You accepted extended employment as defined in WAC 388-891-0010 and you earn less than the minimum wage; (c) Your disability is too significant for you to benefit from VR services and an extended evaluation was completed;

	<p>(d) Your disability is too significant for you to benefit from VR services and a trial work experience was completed;</p> <p>(e) You do not have a disabling condition. No physical or mental impairment exist such as a reported disability that is an acute condition with no residual impairment like a broken bone that heals;</p> <p>(f) You do not have an impediment to employment. Your physical or mental impairment does not constitute a substantial impediment to employment;</p> <p>(g) You do not require VR services to achieve an employment outcome that is consistent with your strengths, resources, priorities, concerns, abilities, capabilities, and informed choice;</p> <p>(3) You are no longer available to participate in services because of:</p> <p>(a) Your death;</p> <p>(b) You are institutionalized. You are unable to participate in a VR program for an indefinite or considerable period of time. An institution includes a hospital, nursing home, prison or jail, or a treatment center, etc.;</p> <p>(c) The lack of transportation- transportation is not feasible or not available;</p> <p>(4) Arranged transfer of your case to another agency. Appropriate referral information is forwarded to the other agency so the agency can provide services more effectively. Includes individuals transferred to other state VR agencies;</p> <p>(4) (5) You decline VR services or you choose not to participate or continue in your VR program at this time;</p> <p>(5) (6) You ask DVR to close your case service record;</p> <p>(5) (a) You agree to case closure. You are given an opportunity to discuss the decision to close your case and you agree to closure;</p> <p>(5) (8) You cannot be located; Unable to locate or contact. You moved without leaving a forwarding address, you left the state or are otherwise unavailable and you show no intention of continuing in your VR program;</p> <p>(6) You ask DVR to close your case service record; or</p> <p>(7) (9) You refuse to cooperate in required or agreed upon conditions or services; or</p> <p>(a) Failure to cooperate- when your actions (or non-actions) make it impossible to begin or continue a VR program. Failure to cooperate includes but is not limited to, repeated failures to keep appointments for assessments, counseling, or other services;</p> <p>(b) You don't cooperate by allowing DVR to collect information necessary to determine your eligibility for DVR</p>
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	<p>services or services in your individualized plan for employment that are required for you to achieve an employment outcome;</p> <p>(8) (10) You require supported employment services and you and your VR counselor have explored all available options for securing resources for extended services or natural supports and there is no reasonable expectation these services will become available.</p>
	<p>Add a WAC that specifies the conditions under which DVR closes a self-employment case as successfully rehabilitated:</p> <p>What are the conditions that apply for DVR to determine that you have achieved an employment outcome in self-employment?</p> <p>DVR determines that you have achieved an employment outcome as outlined in WAC 388-891-1310 and you meet the following additional conditions:</p> <ol style="list-style-type: none"> 1. The business (or entity) has been operating independently of DVR funding (except self-employment consulting for monitoring and follow-up) for at least 90 days after start-up; 2. The business is generating sufficient income to break even and the projected revenue established in the business plan has been attained; 3. You have provided financial statements to DVR that documents the business is self-sustaining, and you are making a monthly wage from the business that is at or above the minimum wage; 4. You, and the DVR counselor, and the self-employment consultant have discussed closure and agree that the closure criteria have been met and you have the skills needed to operate the business; 5. The business is receiving business support from a business mentor or is otherwise connected to an organization for ongoing follow-up and business support, such as a Small Business Development Center.